

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6547

BILL NUMBER: SB 297

NOTE PREPARED: Jan 28, 2008

BILL AMENDED: Jan 28, 2008

SUBJECT: Local Government Matters.

FIRST AUTHOR: Sen. Delph

FIRST SPONSOR:

BILL STATUS: 2nd Reading - 1st House

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) *Monetary Transfers Between Departments*- The bill allows officers of a political subdivision to transfer money between departments in the same fund of the political subdivision without notice and approval of the Department of Local Government Finance if the transfer meets certain requirements.

Civil Penalties for Littering- The bill allows a city, town, or county to regulate and adopt civil penalties for littering on public property.

Rainy Day Fund Transfers- The bill allows a political subdivision to make transfers to the political subdivision's rainy day fund after the last day of the political subdivision's fiscal year.

Local Government Reorganization- The bill provides that a unit consisting of two or more townships and at least one municipality that have reorganized under the government modernization statutes may exercise park and recreation powers if the unit's plan of reorganization authorizes the unit to exercise those powers. The bill specifies that such a unit may determine: (1) the number of members to be appointed to the unit's park and recreation board; (2) the person or entity that shall appoint or remove those members; (3) any required qualifications for those members; and (4) the terms of those members. The bill provides that such a unit may exercise planning and zoning power if the unit's plan of reorganization authorizes the unit to do so. The bill allows the legislative body of such a unit to establish an advisory plan commission and a board of zoning appeals to exercise planning and zoning functions within the unit.

Effective Date: July 1, 2008.

Explanation of State Expenditures: *Monetary Transfers Between Departments*- This provision would reduce administrative time spent by the Department of Local Government Finance to review fund transfers between departments within a local unit of government.

Explanation of State Revenues:

Explanation of Local Expenditures: (Revised) *Local Government Reorganization*- The impact of this provision is indeterminable and would depend on local action. First, two townships and a municipality would have to agree to merge into a single political subdivision under the provisions within current law. To date, no such subdivision has been established. Secondly, under the bill, the merged political subdivision's legislative body would have to pass an ordinance to allow the creation of a board or commission described within the bill.

Theoretically, to the extent that a combination of two townships and a municipality have more than one of a particular board described in the bill, adoption of an ordinance to establish a single board could provide an expenditure savings to the subdivision.

Explanation of Local Revenues: *Civil Penalties for Littering*- Cities, counties, and towns that pass littering ordinances could receive additional revenue from civil penalties assessed on violators. All revenue collected would be deposited in the local unit's general fund.

The maximum civil penalties would be assessed under the following schedule: \$100 for first violation, \$250 for the second violation, and \$500 for violations after the second.

State Agencies Affected: Department of Local Government Finance.

Local Agencies Affected: Cities, counties, and towns.

Information Sources:

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